

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking to implement the provisions of
Public Utilities Code § 761.3 enacted by
Chapter 19 of the 2001-02 Second Extraordinary
Legislative Session.

Rulemaking 02-11-039
(Filed November 21, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING DATES FOR COMMENTS ON COMMISSION
IMPLEMENTATION AND ENFORCEMENT OF
REVISED GENERAL DUTY STANDARDS**

1. Summary

This Ruling sets dates for parties to file and serve pleadings on Commission implementation and enforcement of revised General Duty Standards for Operation and Maintenance (GDS).

2. Committee-Adopted Standards

On June 3, 2003, the California Electricity Generation Facilities Standards Committee (Committee) adopted revised GDS. (Copy attached in Appendix 1.) The Committee directed that the revised GDS be filed with the Commission in this docket. The Commission must now consider implementation and enforcement.

Parties may file and serve pleadings (e.g., comments, reply comments, motions, responses to motions) by the dates stated in Appendix 2. Parties should address the issues identified in the Scoping Memo for GDS. (Phase 4.1 in Scoping Memo dated May 2, 2003.) Parties need not repeat comments already stated in prior pleadings, but may summarize those comments, and may amend, change or add new comments.

3. Reminder on Filing and Service of Pleadings

As stated in the Scoping Memos dated February 19, 2003, and May 2, 2003, parties should use the same outline for filed documents and pleadings (e.g., proposals, comments, reply comments). An original and four copies must be filed with the Commission. Service shall be by electronic mail, with a paper copy served on each person who does not have an electronic mail address, and on each person who requests a paper copy. Paper service in addition to electronic service shall be performed on Administrative Law Judges Thorson and Mattson.

IT IS RULED that parties may file and serve pleadings (e.g., comments, reply comments, motions, responses to motions) on Commission implementation and enforcement of the revised General Duty Standards for Operation and Maintenance contained in Appendix 1. Pleadings shall be filed and served by the dates stated in Appendix 2.

Dated June 4, 2003, at San Francisco, California.

/s/ BURTON W. MATTSON

Burton W. Mattson
Administrative Law Judge

APPENDIX 1

**RESOLUTION NO. 3
OF THE
CALIFORNIA ELECTRICITY GENERATION
FACILITIES STANDARDS COMMITTEE
REGARDING REVISED
GENERAL DUTY STANDARDS
FOR OPERATION AND MAINTENANCE**

**CALIFORNIA ELECTRICITY GENERATION
FACILITIES STANDARDS COMMITTEE**

RESOLUTION NO. 3
Adopted June 3, 2003

**REVISED GENERAL DUTY STANDARDS
FOR OPERATION AND MAINTENANCE**

WHEREAS the People of the State of California and the California Legislature have found, declared, and enacted the following in Senate Bill No. X2 39 (Chapter 19, Statutes of 2001-2002, Second Extraordinary Session):

- (a) Electric generating facilities and powerplants in California are essential facilities for maintaining and protecting the public health and safety of California residents and businesses,
- (b) It is in the public interest to ensure that electric generating facilities and powerplants located in California are effectively and appropriately maintained and efficiently operated,
- (c) Owners and operators of electric generating facilities and powerplants provide a critical and essential good to the California public, and
- (d) To protect the public health and safety, and to ensure electrical service reliability and adequacy, the California Electricity Generation Facilities Standards Committee (Committee) is established to develop and adopt standards for the maintenance and operation of facilities for the generation of electric energy owned by an electrical corporation or located in California, except those specifically exempted in California Public Utilities Code §§ 761.3(d) and 761.3(h).

WHEREAS the Committee desires to adopt General Duty Standards for Operation and Maintenance (GDS) which complement the specific Standards that the Committee has adopted or is now developing.

WHEREAS the Committee seeks, to the extent possible, to have both general and specific Operation and Maintenance Standards in place for Summer 2003, which may be revised or supplemented by later Committee adoption of revised or supplemental standards.

WHEREAS on May 2, 2003, the Committee adopted Resolution No. 1 and GDS, in particular GDS 1, 2 and 3.

WHEREAS the Committee's Presiding Officer on May 9, 2003, distributed a letter asking for further comments on GDS, including proposed GDS 4, 5, and 6, and GDS objectives.

WHEREAS on or before May 19, 2003, comments were received from Pacific Gas and Electric Company, Southern California Edison Company, West Coast Power, Reliant Energy, Elk Hills Power, AES Generators, and Duke Energy North America, and, on or before May 23, 2003, reply comments were due, but no reply comments were received.

And **WHEREAS** the comments have guided revisions now contained in Attachment A.

THEREFORE, IT IS RESOLVED AND ORDERED by the California Electricity Generation Facilities Standards Committee (Committee) that:

1. The General Duty Standards for Operation and Maintenance adopted on May 2, 2003, are superseded by the General Duty Standards for Operation and Maintenance stated in Attachment A. Participants' comments are summarized in Attachment B, along with Committee consideration of these comments.

2. The General Duty Standards for Operation and Maintenance in Attachment A are established as the general operation and maintenance standards of facilities used for the generation of electric energy owned by an electrical corporation or located in California, except to the extent specifically exempted by California Public Utilities Code §§ 761.3(d) and 761.3(h). The General Duty Standards for Operation and Maintenance complement the more specific Standards that the Committee has adopted, or may subsequently adopt. To the extent addressed by a more specific Standard, compliance with the specific Standard shall satisfy compliance with the general Standard.

3. Committee Staff shall both (a) file this Resolution and adopted General Duty Standards for Operation and Maintenance with the California Public Utilities Commission, and (b) ensure that a copy is served on the service list of participants before the Committee, as soon as reasonably possible.

4. This Resolution is effective today.

Dated June 3, 2003 at San Francisco, California.

Certification of Staff Director:

I certify that the foregoing resolution was duly introduced, passed and adopted at a meeting of the California Electricity Generation Facilities Standards Committee held on June 3, 2003, the following members voting favorably thereon:

Carl W. Wood, Presiding Officer
Michael Kahn, Member
Glenn Bjorklund, Member

/s/ RICHARD CLARK

Resolution No. 3
Generation Standards Committee

June 3, 2003

Richard Clark
Committee Staff Director

ATTACHMENT A

**GENERAL DUTY STANDARDS
FOR OPERATION AND MAINTENANCE**

Adopted June 3, 2003

by the

California Electricity Generation
Facilities Standards Committee

**GENERAL DUTY STANDARDS
FOR OPERATION AND MAINTENANCE**

Adopted June 3, 2003 by the
California Electricity Generation Facilities Standards Committee

Pursuant to California Public Utilities Code § 761.3, each facility used for the generation of electricity owned by an electrical corporation or located in California (Facility) shall be operated and maintained by its owner(s) and operator(s) in accordance with the following standards:

1. Each Facility shall be operated and maintained in a safe, reliable and efficient manner that reasonably protects the public health and safety of California residents, businesses, employees, and the community.
2. Each Facility shall be operated and maintained so as to be reasonably available to meet the demand for electricity, and promote electric supply system reliability, in a manner consistent with prudent industry practice.
3. Each Facility shall comply with the protocols of the California Independent System Operator for the scheduling of powerplant outages.
4. No Facility shall be operated and maintained in a manner such that its output is scheduled, delivered, adjusted or withheld: (a) for the purpose of unfairly, unjustly or unreasonably influencing wholesale electricity generation prices established by the Federal Energy Regulatory Commission, (b) by falsely declaring that a Facility has been forced out of service or otherwise become unavailable, or (c) by failing to comply with the must-offer conditions of a participating generator agreement.

5. Each Facility shall maintain reasonable logs of operations and maintenance in a manner consistent with prudent industry practice.
6. Each Facility shall be operated and maintained in a reasonable and prudent manner consistent with industry standards while satisfying the legislative finding that each facility is an essential facility providing a critical and essential good to the California public.

Pursuant to California Public Utilities Code § 761.3(a), the California Public Utilities Commission shall implement and enforce these General Duty Standards for Operation and Maintenance. Pursuant to the provisions of California Public Utilities Code § 761.3(f), nothing in these General Duty Standards for Operations and Maintenance shall modify, delay, or abrogate any deadline, standard, rule or regulation that is adopted by a federal, state, or local agency for the purposes of protecting public health or the environment, including, but not limited to, any requirements imposed by the California State Air Resources Board, an air pollution control district, or an air quality management district pursuant to Division 26 (commencing with Section 39000) of the California Health and Safety Code.

These General Duty Standards for Operation and Maintenance apply to all facilities used for the generation of electric energy owned by an electrical corporation or located in California with the following exceptions (see California Public Utilities Code §§ 761.3(d) and 761.3(h)):

1. Nuclear powered generating facilities that are federally regulated and subject to standards developed by the Nuclear Regulatory Commission, and that participate as members of the Institute of Nuclear Power Operations.

2. Qualifying small power production facilities or qualifying cogeneration facilities within the meaning of §§ 201 and 210 of Title 11 of the federal Public Utility Regulatory Policies Act of 1978 (16 U.S.C. Secs. 796(17), 796(18), and 824a-3), and the regulations adopted pursuant to those sections by the Federal Energy Regulatory Commission (18 C.F.R. Secs. 292.101 to 292.602, inclusive).
3. Generation units installed, operated, and maintained at a customer site, exclusively to serve that customer's load.
4. Facilities owned by a local publicly owned electric utility as defined in California Public Utilities Code § 9604(d).
5. Any public agency that may generate electricity incidental to the provision of water or wastewater treatment.
6. Facilities owned by a city and county operating as a public utility, furnishing electric service as provided in California Public Utilities Code § 10001.

(END OF ATTACHMENT A)

ATTACHMENT B

SUMMARY OF PARTICIPANTS' MAJOR COMMENTS AND COMMITTEE CONSIDERATION OF COMMENTS

(See last page for list of acronyms.)

1. Owners and Operators

WCP states that “it would make more sense to substitute ‘the owner or operator of a Facility’ for ‘Facility’ in this standard [General Duty Standard (GDS) 5].” (May 19, 2003 Comments, page 3, footnote 3.) The Committee generally agrees. We apply this concept to all six GDS by including the language in the introductory phrase. Further, as revised, the provision includes both owners and operators—not owners or operators—since the standard applies to both, not either one or the other, and not at that entity’s choice. Finally, the six standards are rewritten so that each begins in parallel with “each facility” or “no facility,” without changing the meaning of any GDS.

2. General Support

All participants who served comments state support for the intent, objectives or goals of the GDS, and/or state that their plants are operated and maintained in a manner that is consistent with the GDS. These include operation and maintenance practices that are safe, reliable, and efficient; ensure availability to meet customer demand; and comply with all state and federal laws and regulations, as well as California Independent System Operator (CAISO) tariffs and protocols. Elk Hills specifically says its practices will continue whether or

not the Committee adopts the GDS, and the Commission implements and enforces the GDS.

In particular, support for, or practices consistent with, the GDS is stated by PG&E, SCE, WCP, Reliant, Elk Hills, AES Generators, and DENA.¹ Elk Hills says “from a broad policy standpoint [GDS 4, 5 and 6], with few exceptions, should not be particularly controversial or difficult for generators to meet.” (Comments dated May 19, 2003, page 2.)² We agree.

3. Hydroelectric Powerplants

PG&E believes the Committee lacks authority to adopt operation and maintenance standards for hydroelectric projects licensed by the Federal Energy Regulatory Commission (FERC) based on FERC’s exclusive jurisdiction over such facilities under Part 1 of the Federal Power Act (FPA). To the contrary, the FPA permits FERC to approve operation and maintenance procedures only where a state has not done so. Moreover, FERC’s jurisdiction ceases when a state has prescribed such standards. (16 USC § 812.)

¹ Nonetheless, participants express concerns or objections based on jurisdiction, due process, consistency with SB X2 39, consistency with existing law, vagueness, workability, and other factors. As a result, participants generally recommend that the Committee modify or abandon some or all of the GDS.

² In a related matter, Elk Hills says that the headers to Committee-adopted Resolution Nos. 1 and 2 transmitted by letter dated May 16, 2003 refer to the “General Standards Committee.” (Comments dated May 19, 2003, page 3, footnote 3.) Elk Hills assumes this is a typographical error, but requests clarification. Elk Hills is correct—it was a typographical error.

The California legislature identified within § 761.3 the specific plants it does not intend the Committee include in its adopted standards (e.g., nuclear, qualifying facilities, publicly owned; see §§ 761.3(d) and (h)). Hydroelectric plants (except if owned by a public entity or a qualifying facility) are not included in that list. That is, the legislature could have, but did not, exclude hydroelectric plants owned by a private generator. We do not exclude plants the legislature itself did not exclude.

We may adopt standards that apply to all covered plant, including hydroelectric plant. The Commission will hear from parties about FERC's role. We defer implementation and enforcement to the Commission.

4. Facilities Located Out-of-State Which Have Multiple Owners

SCE recommends that facilities located out-of-state which have multiple owners be specifically exempted from the GDS. Otherwise, the GDS will be so confusing that they will be unworkable, according to SCE. In particular, SCE points out that the coal-fired Mohave Generating Stations are owned not only by SCE, but also by the Los Angeles Department of Water and Power and the Salt River Project, both of whom are exempt from § 763.1. Similarly, SCE states that it has a minority interest in the coal-fired Four Corners Power Plant. SCE says confusion will be avoided if the GDS explicitly exempt coal-fired out-of-state generating facilities with multiple owners.

We are not persuaded that out-of-state facilities are exempt from § 761.3 (e.g., when the plant is operated by an electrical corporation for "compensation within this state.") (§§ 218(a) and 761.3.) Moreover, whether or not some owners are exempt from § 761.3, other owners (in cases of a facility with multiple

owners) may or may not have a responsibility under § 761.3. This may need further exploration, and participants before the Committee may continue to explore this at the appropriate times. We are not convinced, however, that a blanket exemption is now warranted. Further, parties may address the matter with the Commission as the Commission undertakes implementation and enforcement. At this time, however, we will only exclude those facilities named specifically in § 763.1 (e.g., nuclear, qualifying facilities).

5. Vague and Unenforceable

WCP and others assert that the GDS are fatally flawed. The GDS fail to provide a measurable standard for owners and operators to determine whether or not they comply with the standards, according to WCP. WCP states that, to the extent the GDS merely affirm existing obligations and duties (e.g., existing federal law, FERC orders, CAISO tariffs, participating generator agreements (PGAs), state law, local law, other existing law and regulations), the GDS are unobjectionable.

The GDS affirm existing law in part and, to that extent, are unobjectionable. Further, the GDS also adopt standards consistent with, but more specific than, the stated legislative findings and declarations. We believe they are sufficiently specific to be enforceable.

There is a continuum of specificity in the drafting of any set of standards. We adopt this GDS as an early fulfillment of our duties and responsibilities under § 761.3. This does not mean that our job is done. The objective is to adopt general standards that complement specific standards, wherein compliance with a more specific Standard (to the extent addressed by the more specific Standard)

will satisfy compliance with the general Standard. We believe the GDS are necessary and reasonable to satisfy initial responsibilities under § 761.3, and are sufficiently specific to permit reasonable implementation and enforcement, while permitting later development of more specific Standards as necessary and appropriate.

Participants can assist the Committee and the Commission with adoption, implementation and enforcement of more specific Standards over time. For now, however, we believe the GDS are sufficiently specific and reasonable.

6. GDS 4: Scheduling, Delivery, Adjustment or Withholding Of Output

6.1. Business Practices

Reliant asserts that GDS 4 and 5 are designed to regulate or enforce business practices, but that SB X2 39 does not authorize the Committee to regulate or enforce business practices. Reliant says the Committee may only establish operations and maintenance standards, and that GDS 4 and 5 cannot be adopted.

The references in the May 9, 2003 letter from the Presiding Officer say that:

- (a) “the purpose of the GDS is to state general operation and maintenance standards covering duties, obligations and business practices consistent with Senate Bill (SB) X2 39...” (page 2) and
- (b) that the objective is “operation and maintenance in a manner that reflects three specific business practices...consistent with the goals [of SB X2 39]...” (page 3.)

We find nothing impermissible regarding “business practices” and the proposed GDS. Rather, the references to business practices are in turn in relation

to operation and maintenance practices that are within the scope of SB X2 39 and § 761.3.

More importantly, the term “business practices” is not used in the adopted Resolution or GDS. Rather, the Resolution and GDS only involve specific operation and maintenance practices, and matters permitted by § 761.3. We are not persuaded by Reliant that we must abandon the GDS, or GDS 4 and 5 in particular.

6.2. Enforcement

PG&E, SCE and others state that GDS 4(c) exceeds the state’s authority and violates principles of federal preemption. Rather, for example, PG&E states that the legislature directed the Commission to “ ‘seek enforcement capability from the Federal Energy Regulatory Commission regarding the private generator agreement...’ Senate Bill No. 39 (2001-02 2d Ex. Sess.) § 1(c).” (Comments dated May 19, 2003, pages 3-4.) SCE says GDS 4 prematurely assumes the Commission “has an enforcement role over facilities...” (Comments dated May 19, 2003, page 4.) Reliant says: “the enforcement of the PGAs is subject to exclusive FERC jurisdiction...” (Comments dated May 19, 2003, page 4.)

These comments address enforcement. Enforcement is within the jurisdiction of the Commission, not the Committee. (§ 761.3(a).) The Commission will later address enforcement, and will consider comments and proposals from parties. In particular, this is an issue in Phase 3 of R.02-11-039. (See Scoping Memo and Ruling dated February 19, 2003, Issue 3.2, Private Generator Agreements.)

The Committee, however, may consider and adopt one or more standards regarding operation and maintenance that promote the goals of Senate Bill X2 39 (e.g., essential nature of electric generating facilities, maintaining and protecting public health and safety, ensuring facilities are effectively and appropriately maintained and efficiently operated, ensuring service reliability, ensuring service adequacy). One such standard involves the scheduling, delivery, adjustment or withholding of output in ways that affect those goals. Implementation and enforcement of the standard will be separately considered.

6.3. Wholesale Prices

PG&E and others contend that FERC has exclusive jurisdiction over wholesale electricity prices, and that GDS 4(a) conflicts with this jurisdiction. PG&E points out § 761.3(c) states that “nothing in this section authorizes the commission to establish rates for wholesale sales in interstate commerce...”

To the contrary, GDS 4 addresses operation and maintenance, which are specifically within the jurisdiction of the Committee. GDS 4 addresses how operation and maintenance affects scheduling, delivery, adjustment or withholding of output in ways that directly affect the goals of SB X2 39 (e.g., essential facilities, public health and safety, appropriate maintenance, efficient operation, reliability, adequacy). In fact, GDS 4(a) expressly acknowledges that wholesale electricity generation prices are established by FERC. GDS 4 does not seek to “establish rates for wholesale sales in interstate commerce...” (§ 761.3(c).) The Committee is not persuaded that GDS 4 creates the conflict alleged in comments.

6.4. False Declarations

PG&E and others also claim that FERC has exclusive jurisdiction over wholesale rates and practices affecting rates. Participants say that GDS 4(b) encroaches on that jurisdiction. Rather, participants assert that the reason for the Committee to prohibit “falsely declaring that a Facility has been forced out of service or otherwise become unavailable” is to address wholesale rates when affected by market manipulation or other devices. This is beyond the Committee’s jurisdiction, according to participants.

To the contrary, operating or maintaining a facility in a manner such that its output is scheduled, delivered, adjusted or withheld by falsely declaring that the facility has been forced out of service or is otherwise unavailable affects the goals expressed in SB 2X 39, and the mission of the Committee (e.g., essential nature of facilities, public health and safety, appropriate maintenance, efficient operation, reliability, adequacy). This is within the jurisdiction of the Committee. The Committee is not persuaded by participants’ comments that this standard conflicts with federal ratesetting jurisdiction.

7. GDS 5: Logbooks

PG&E, WCP and others say that GDS 5 is unnecessary and redundant given the Committee’s recent adoption of even more specific Logbook Standards for thermal powerplants, and possible forthcoming adoption for hydroelectric plants. Participants assert that GDS 5 adds little value, and may create confusion about which standards apply.

To the contrary, confusion is eliminated by the Committee having clearly stated: “To the extent addressed by a more specific Standard, compliance with

the specific Standard shall satisfy compliance with the general Standard.” (Resolution No. 1, Ordering Paragraph 2.) Thus, for example, compliance with specific Logbook Standards for thermal powerplants (to the extent addressed by the specific standards), satisfies compliance with GDS 5. Similarly, if Logbook Standards for hydro powerplants are later adopted, compliance with those specific Standards (to the extent addressed in the specific standards) will satisfy compliance with GDS 5.

On the other hand, the Committee understands that there are powerplants in California, or that serve California load covered by § 761.3, which are not powered by thermal energy. GDS 5 addresses such non-thermal powerplants. Moreover, if specific Logbook Standards for hydro plants are not adopted, GDS 5 covers hydro powerplants. In any case, however, GDS 5 only requires that logs be maintained consistent with prudent industry practice, and does not impose an unreasonable burden on generators using non-thermal energy.

8. GDS 6: Essential Facility

PG&E and others believe GDS 6 is subsumed within GDS 1 and 2, and is therefore unnecessary. The Committee is not persuaded.

While similar, GDS 6 is sufficiently different to retain as a separate standard. The Presiding Officer sought participants’ comments on separating GDS 1 into two parts, writing entirely different versions of each GDS, or completely rewriting the entire “package” of standards. (May 9, 2003 letter, pages 1-2.) We looked forward to constructive and creative proposals from participants. None were offered. Thus, even if GDS 1, 2 and 6 are similar, no participant offered a specific way to combine the three GDS into two or one.

Nonetheless, participants ask that the Committee clarify the intent and scope of GDS 6 if different than GDS 1 and 2. Among other things, GDS 6 involves the essential facility status of generating facilities. This is a different element than contained in GDS 1 and 2.

Beyond deleting GDS 6, participants offer no other suggestions. We are not persuaded that GDS 6 should be eliminated.

9. GDS 3: CAISO Outage Protocols

PG&E asserts that GDS 3 (requiring generators to comply with CAISO scheduled outage protocols) exceeds the Committee's authority. PG&E contends that FERC has rejected the argument that the state, either alone or in conjunction with FERC, has authority to "implement or enforce the ISO Tariff provisions and protocols related to scheduling and coordination of outages for generating facilities." (Comments dated May 19, 2003, page 7.) PG&E recommends the Committee rescind GDS 3.

We decline to rescind GDS 3. PG&E's comments largely address implementation and enforcement, which are beyond the scope of the current issue before the Committee. That is, the Commission will later address implementation and enforcement. Nonetheless, operation and maintenance Standards are within the scope of the Committee's inquiry at this time. The Committee believes that GDS 3 is a reasonable standard to adopt.

ACRONYMS

| LINE NO. | ACRONYM | ENTITY |
|----------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | PG&E | Pacific Gas and Electric Company |
| 2 | SCE | Southern California Edison Company |
| 3 | DENA | Duke Energy North America |
| 4 | AES | AES Alamitos, LLC AES Huntington Beach, LLC AES Redondo Beach, LLC |
| 5 | WCP or West Coast Power | El Segundo Power LLC Long Beach Generation LLC Cabrillo Power I LLC Cabrillo Power II LLC |
| 6 | Reliant | Reliant Energy Coolwater, Inc. Reliant Energy Ellwood, Inc. Reliant Energy Etiwanda, Inc. Reliant Energy Mandalay, Inc. Reliant Energy Ormond Beach, Inc. |
| 7 | Elk Hills | Elk Hills Power LLC |
| 8 | CAISO | California Independent System Operator |
| 9 | FERC | Federal Energy Regulatory Commission |
| 10 | PGA | Participating Generator Agreement |

(END OF ATTACHMENT B)

(END OF APPENDIX 1)

APPENDIX 2

R.02-11-039

SCHEDULE REGARDING PLEADINGS ON REVISED GENERAL DUTY STANDARDS FOR OPERATION AND MAINTENANCE

SCHEDULE

| Item | GDS |
|---------------------------------------------------------------------------------------------|------------|
| Ruling Setting Dates | 6/4/03 |
| Proposals and Comments filed and served on Commission implementation and enforcement of GDS | 6/20 |
| Reply Comments filed and served | 6/27 |
| Motions for Formal Hearing (FH) | 7/1 |
| Responses to Motions for FH | 7/3 |
| Draft Decision (DD) filed and served ^[1] | 7/22 |
| Comments on DD | 8/11 |
| Motions for Final Oral Argument (FOA) | 8/11 |
| Responses to Motions for FOA | 8/13 |
| Reply Comments on DD | 8/18 |
| FOA (if motion made and granted) | 8/18 |
| Commission Decision | 8/21 |

^[1] Assumes no formal hearing. The schedule will be adjusted if motion for formal hearing is made and granted. Similarly, the remainder of the schedule will be adjusted if the DD is filed and served on a date other than as stated above. Absent shortening of the comment period, comments on the DD shall be filed within 20 days of service of the DD, and reply comments within 5 days of service of comments. (Article 19 or the Commission's Rules of Practice and Procedure, Rules 77.2, 77.4, 77.7).

(END OF APPENDIX 2)

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Dates for Comments on Commission Implementation and Enforcement of Revised General Duty Standards on all parties of record in this proceeding or their attorneys of record.

Dated June 4, 2003, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

(415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282
at least three working days in advance of the event.